

**From:** [webmaster@localhost.legmt.gov](mailto:webmaster@localhost.legmt.gov)  
**To:** [Mohr, Jason](#)  
**Subject:** Public Comment Submission for WPIC  
**Date:** Friday, August 28, 2020 4:34:20 PM

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## Comments for WPIC

**Date:** 28th August 2020 16:34

**Full Name:**  
Joshua Dale Elliott

**Email Address:**  
[elliojos@gmail.com](mailto:elliojos@gmail.com)

**Subject Line:**  
Public Comments on Climate and Water Rights Whitepaper

**Your Comment:**

Mr. Mohr and Montana WPIC Members: I have a few comments regarding the Climate and Water Rights whitepaper dated August 1, 2020. At the beginning of the paper, you state that “[a] major reason for conducting this inquiry is the committee's desire to protect senior water rights, which may become at risk as climate changes.” While senior water rights are clearly important in Montana under the prior appropriation system, the severity of looming threats associated with climate change may require that we take one step further back so that we can evaluate the importance of senior water rights in the context of the greater public interest. It may well be that we can devise a way to protect senior water rights and continue to satisfy public needs, but we should not use the assumed supremacy of senior water rights as a starting point as we strategize a response to climate change. An effective response may require that we truly think outside the box and not constrain our options to those that fit neatly within our current system. Regarding the proposed means of increasing water storage, I strongly encourage you to rule out construction of new dams. The damage this would cause to fish, wildlife, and ecosystems is unacceptable, especially considering the alternative options available. In comparison, the environmental harm resulting from increasing the dam height at existing reservoirs is relatively small. Beaver mimicry and other forms of wetland restoration are clearly the most preferable forms of increasing water storage in a way that not only protects but restores ecological systems vital to Montana’s way of life. This latter option should be prioritized and pursued aggressively. Regarding the period of use for existing water rights holders, has the committee entertained the idea of a program to not only allow but incentivize existing rights holders to withdraw more water during peak spring flows and store surplus water for use later in the summer? Program subsidies could be used to facilitate construction of the necessary private storage infrastructure, with the stipulation that rights holders discharge a certain percentage of the stored water during low flow periods directly back into the water course. I thank you all for your public service and taking these comments into consideration.

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**From:** [webmaster@localhost.legmt.gov](mailto:webmaster@localhost.legmt.gov)  
**To:** [Mohr, Jason](#)  
**Subject:** Public Comment Submission for WPIC  
**Date:** Sunday, August 30, 2020 10:13:21 PM

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## Comments for WPIC

**Date:** 30th August 2020 22:13

**Full Name:**  
Maeve Holman

**Email Address:**  
[maeve.holman@umt.edu](mailto:maeve.holman@umt.edu)

**Subject Line:**  
Natural Storage Opportunity

**Your Comment:**

In regards to the white paper on "climate and water rights": I am really intrigued by the possibility for more natural water storage sites. Ecologic restoration coupled with improved water quality and groundwater recharge sounds like a win- win to me, and I believe we should be investing in these more natural solutions while we still have the chance. I'm sure the outcomes of these methods wouldn't show themselves immediately so it would be better for the projects be completed before a severe water crisis occurs. I recognize the language in the report seems to hint that the results of the projects are unknown/lack standing as of yet- but the worst case scenario of trying these natural water storage methods are healthier and happier floodplains and wetlands.

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**From:** [webmaster@localhost.legmt.gov](mailto:webmaster@localhost.legmt.gov)  
**To:** [Mohr, Jason](#)  
**Subject:** Public Comment Submission for WPIC  
**Date:** Tuesday, September 01, 2020 12:02:43 PM

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## Comments for WPIC

**Date:** 1st September 2020 12:02

**Full Name:**

Jacob Lamb

**Email Address:**

[jacobl.lamb@umontana.umt.edu](mailto:jacobl.lamb@umontana.umt.edu)

**Subject Line:**

A white Paper on "Climate and Water Rights"

**Your Comment:**

To Montana WPIC Members: I feel strongly inclined to suggest that you refrain from the implementation of a "Flexible period of use" clause into Montana water Law. While it is true that the hydrological cycle is in shifting due to a trend of warming temperatures, water rights should not be granted the freedom to move with the hydrological cycle. By allowing senior water rights to change, this will only prevent junior water right holders from having a fair and equal chance to move up the priority list. In regard to a plan aimed at increased water retention across the landscape, I am very appreciative that you have mentioned and looked into the use of ecological restoration. Both river restoration efforts and beaver mimicry devices are showing tremendous success and with continued effort, I believe will be sufficient in keeping up the water demand on the landscape. Artificially altering natural river and stream systems with dams will only cause more irreversible damage to the local water ecosystems that so many species are dependent on. I am appreciative for your educated and open approach to this complicated issue, and willingness to accept public input.

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**From:** [webmaster@localhost.legmt.gov](mailto:webmaster@localhost.legmt.gov)  
**To:** [Mohr, Jason](#)  
**Subject:** Public Comment Submission for WPIC  
**Date:** Tuesday, September 01, 2020 11:42:18 AM

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## Comments for WPIC

**Date:** 1st September 2020 11:42

**Full Name:**  
Atlas McKinley

**Email Address:**  
[mckinleyatlas@gmail.com](mailto:mckinleyatlas@gmail.com)

**Subject Line:**  
Source Watersheds

**Your Comment:**

I agree with and support the third recommendation in the report. The potential for source watershed restoration to increase natural water storage seems to provide a win for both water users, fish and riparian wildlife.

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**To:** [Mohr, Jason](#)  
**Subject:** Public Comment Submission for WPIC  
**Date:** Tuesday, September 01, 2020 11:07:03 AM

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## Comments for WPIC

**Date:** 1st September 2020 11:07

**Full Name:**  
Ashley Miller

**Email Address:**  
[a.miller1416@gmail.com](mailto:a.miller1416@gmail.com)

**Subject Line:**  
Climate and Water Rights

**Your Comment:**

To whom it may concern, It is interesting to read how annual rainfall has not changed since 1950, but how winter precipitation has decreased significantly. How has this decrease in snowpack changed how we manage Montana water? The option to impound Montana rivers to increase water storage is very frustrating to read. In my opinion, that would be detrimental to the aquatic environment, and the fisheries. Knowing that steps are being taken to enhance natural storage to benefit aquatic habitat is very pleasing.

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**From:** [webmaster@localhost.legmt.gov](mailto:webmaster@localhost.legmt.gov)  
**To:** [Mohr, Jason](#)  
**Subject:** Public Comment Submission for WPIC  
**Date:** Monday, August 31, 2020 4:59:45 PM

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## Comments for WPIC

**Date:** 31st August 2020 16:59

**Full Name:**

Jaret Retterath

**Email Address:**

[jaret.retterath@umontana.edu](mailto:jaret.retterath@umontana.edu)

**Subject Line:**

Climate and Water Rights

**Your Comment:**

First off, I discourage the idea of constructing new impoundments on new waterways to increase water storage as history has proven the damage that can be done to aquatic ecosystems. Even if the the technology enhancements have been improved to mitigate aquatic habitat degradation, I still strongly disagree. The second approach of artificially constructing natural storage I highly encourage. I agree with removing mine tailing, artificially constructing beaver dams, planting cotton woods and willows, and improving fish habitats to bring back the natural habitat that existed here before settlers unknowingly damaged. That would increase the amount of water being cycled through groundwater systems which would then produce cleaner water for beneficial use and will also benefit dry land ecological habitats in the process of entering groundwater systems. I prefer that type of groundwater storage more than just leaving water sitting in reservoirs and evaporating away with the warmer temperature we will see in the future. I suggest you start performing these projects ASAP to prepare for droughts and floods like you stated in the draft. I also highly encourage for you guys to push irrigators to use the most advanced technologies to date to irrigate their land. I know that funding is probably a big issue concerning that fact, but you could give some kind of tax break to alleviate the expense.

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